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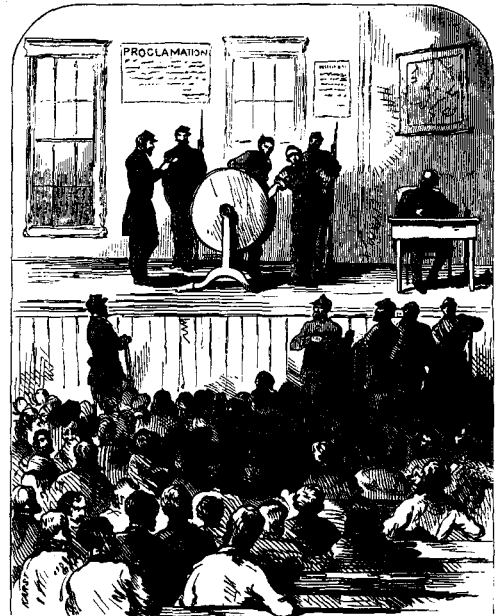
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NEWS & VIEWS

The Biafran Tragedy

Catholic Relief Services' coordinator of Biafran relief stood at the head of the table and cautioned against believing all one read about the Nigerian-Biafran war. "The war's not almost over," he said. "It will go on and on and on."

Father Dermot Doran spoke to a dozen or so newsmen in the soft accents of a Meath man. "Most of the news emanates from Lagos," he advised (translation: it's pro-Nigerian); "much of it at press briefings alongside the swimming pool of the Federal Palace Hotel" (translation: sources corrupt); "which is 300 miles from the fighting" (translation: distant from the action and unreliable).

Ironies leapt out at you. Doran was speaking 3,000 miles from the action, in a private dining room of a posh New York club, 21 stories by elevator in the Empire State Building, capitalism's giant phallus erect over the world. The newsmen listened dutifully.

Doran seemed not to sense any paradox. But, then, why should he? He's been in and out of Biafra 15 times since December, 1967; no need for one who has borne the heat of the day to have qualms about the cool of an Empire State Building briefing.

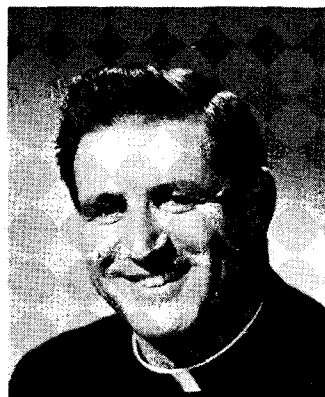
For the newsmen—one at least—it was different.

Doran told of his work and the discomfort grew. It takes a lot of stomach to digest fruit cup, roast chicken, carrots, baby onions, potatoes, and ice cream, while hearing what Biafran food relief means: one meal a day, that meal an eighth-of-a-pound blob of fish and csm (corn, soya and dried powdered milk). That's a lump about the size of your fist. And about as appetizing.

Doran, a man to recognize incongruities, didn't itemize the contrasts. Maybe he should have. There's something obscene about fine linen, rich food, air-conditioning and happy drinks, when an ocean away millions are dying by the inch.

This isn't a reflection on the host—Catholic Relief Services; it's a reflection on what we blithely call Western Civilization. A civilization is terribly sick, when a blob of mash is the heralded kindness of an affluent people and roast chicken is a modest luncheon without which the agency of kindness would have had even fewer newsmen attending its briefing.

That briefing was not unimpressive. Doran, a mid-30ish Holy Ghost Father, is impressive—as impressive as the



Dermot Doran

work CRS is carrying out both in Nigeria and in Biafra. In Biafra that involves feeding more than one million of the three million starving Biafrans cared for each day by Catholic, Protestant and Red Cross relief teams.

Doran wears his anguish visibly. The fighting, he declares, could go on indefinitely—and therefore the misery. "The downfall of Biafra is not immanent," he holds. "The world press made a big thing over the federal troops' capture of Umuahia. But for all practical purposes all that meant was the securing of a dirt communications road between Umuahia, Bende and Ovim. Within a mile of Umuahia, Biafrans are still operative." It's the

same up and down the country.

Doran fingers the British and the Russians on the Nigerian side, and the French on the side of the Biafrans, and accuses them of "meddling."

"If the two sides weren't being given arms, there wouldn't be any fighting," he maintains.

That might be a bit simplistic, but not Doran's contention that "the consciences of world governments must be put on the line." The problem is how.

Doran has theories, but the problem might already be resolved. It might have been settled the minute Biafra sentenced to death 18 Italian, German and Lebanese oil workers on charges of fighting alongside federal Nigerian troops. Nothing like threatening to knock off a few white Westerners for arousing consciences.

Biafra predictably backed away from its decision to execute the 18, but the point had been made.

"For 18 white men, Europe is aroused," commented Biafran General Odumegwu Ojukwu. "What have they said about our millions?"

Good question. Now to await the answers.

Lost Triumph

Include Msgr. George Higgins among those turning off *Triumph* magazine. Provoking the action: a screed against against the Jesuits in the June *Triumph* by gutterman Farley Clinton [News & Views, 5/23/69].

According to Clinton, an "unclean spirit" reigns in the Society of Jesus "which cries out for the exorcist."

Clinton recites a litany of villains ("ex-Jesuit" Robert Kaiser, "ex-Jesuit" Malachy Martin, "the deposed" Archbishop Roberts, *America's* Father Donald Campion), and poses the question "whether . . . the Church can afford the luxury of maintaining a rich and treacherous enemy within her borders, whether

another suppression of the Society altogether . . . is not necessary."

Higgins labeled the attack "unconscionable," "enough to make a man sick to his stomach." He concluded:

" . . . I have been willing to give *Triumph* the benefit of the doubt. Not any longer, however . . . I hope the magazine goes out of existence—and the sooner the better."

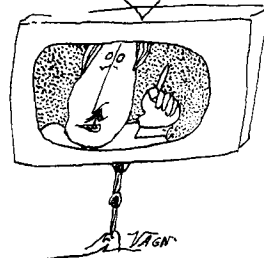
Odds 'n Ends

—Where has all the interest gone? In 1967, 1,500 loyal laymen gathered in Chicago to found the Chicago Conference of Laymen. The group's third annual meeting last month attracted "some 50 people."

—A Boston-area bar association met last month to hear Sister Margaret Gorman, psychology department chairman at Newton College of the Sacred Heart. Sister Margaret, who's a Pentagon consultant, took as her topic "Semantics."

—AP's unsung Peter Arnett told anew what we knew in his report on the U.S. extermination of the hamlet of Bokinh, south of Saigon: "Bokinh showed again that while people are regarded as the key to victory in Vietnam, they become a secondary consideration when the choice is between saving them or securing a military objective." JOHN DEEDY

WE INTERRUPT THIS PROGRAMME TO ANNOUNCE THAT THE MINISTER OF THE INTERIOR ASKS ALL PERSONS TO AVOID THE CENTRE OF TOWN WHERE THE AUTHORITIES ARE HOLDING DISCUSSIONS WITH STUDENTS



CORRESPONDENCE



Creative Persistence

Chicago

To the Editors: In his article "Resistance in the Church" [May 16], Father Bianchi gives consideration to the objections of the *immobilisti* but not to the objections of the reformers. Since he fails to see the reformer's position as anything more than liberal naïveté, his argument for creative resistance seems more controversy-seeking than pertinent. A choice between creative persistence and creative resistance seems the real option. The creative persister chooses to continue steadily on, firmly in the path of Vatican II despite opposition or effects of miseducation. The Bianchi-type resister opts to withstand, resist or oppose elements which have not implemented Vatican II.

Which posture is more creative? Which has more natural claim to the use of the adjective creative? Which has the better possibility of having the power of bringing into being, of causing new life to exist, and of producing the reforms which should result from Vatican II? At the very least creative persistence has a better record. The creative persistence style is responsible for the inestimable good which surfaced through the recent Council. On the other hand, creative resistance, as defined by Fr. Bianchi, seems negative, totally dissentient. As he says, resistance is a "dismantling" work purchased only through "misunderstanding."

Methods and means are at issue here. As a lay person I find Father's "ultimate method" of resistance to be ultimately dishonorable, even akin to the spiritual life, to Hitler's final solution. When he argues that "perhaps the most effective [method] of all, would be for priests to cease their sacramental functions," he advocates punishing the People of God by taking away its possibility of sacramental life.

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RED, WHITE AND BLUE FASCISM?

Sinclair Lewis once wrote a book called *It Can't Happen Here*, the title of which was an ironic comment on the coming of fascism to America. Written in the Hitler-Mussolini era, Lewis's novel was criticized on artistic grounds by many reviewers, but everyone agreed that the title was great, summing up perfectly the complacent attitude of Americans on the possibility of fascism in this country. Indeed, it still does; we doubt if one out of a hundred Americans would take such a possibility seriously.

Part of the problem is the word "fascism" itself, obviously foreign, un-American. The term conjures up visions of Hitler with his funny little mustache and of Mussolini, with his comical, vainglorious poses. No sensible American would follow the likes of them, it is argued, and we think correctly. If fascism comes to America, it will not be the imported model; it will be homegrown, made in the U.S.A. Its S.S. would be the local police (remember Chicago?); it would appeal not to Hitler's *Meistervolk* but to the plain folks beloved by the American politician.

How would fascism come to the United States? Its leader would not strut and posture à la Hitler and Mussolini, nor wear the military uniforms they affected (although he might indulge in a veteran's cap on patriotic occasions). No, the American fascist leader would come to us dressed in nothing more radical than modified Ivy League, talking not about the need for more living space for American expansion but about neighborhood standards and property values, not about inferior nations and races but about America's sacred duty to the world. He would not espouse a radical program but would appeal, as Mr. Nixon did in discussing student radicalism, to the sacred national past, to "old standards," "old values," "old precepts," to use the President's words.

The American fascist leader would not come to us on a white horse but in a Caddy with a decal of the American flag on a window. He would arrive, not arguing for a foreign ideology but draped in the Stars and Stripes, and his public appearances would open properly with a chaplain's prayer. He would call not for new conquests but for the preservation of the American way of life—against the Communists, the pacifists, the hippies ("too lazy to

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wash," people say), radical students, black extremists, the S.D.S., the Fathers Berrigan, the Catholic Worker, and the Milwaukee 14.

America's authority figure would be, in short, not a European but a native American fascist, and the danger would not be that he would seize power but that he would win an overwhelming victory at the polls by doing little more than denouncing long hair on boys and short skirts on girls. No sane person in this country wants a Hitler, true enough, but the day may come when many want the law and order of an American fascist, flanked on one side by the representatives of the "patriotic" organizations and on the other by exponents of the three faiths ("the American way").

How likely is this to happen? At this point we would say that the odds are against it, but we would not say flatly that it could never happen here—and although Mr. Nixon is no fascist, we must confess that we were not made more comfortable by reading his campus eulogy of the good old days and good old ways, his spirited defense of the military establishment ("It is open season on the armed forces") and his endorsement of the U.S. mission as world policeman.

That is one straw in the wind. We were sobered even more by the recent warning from 45 members of Congress that we must cut the power of the military or face the possibility of becoming what they call "a national security state." In their 61-page report the nine Senators and 36 House members said, "The most urgent challenge confronting Congress today is to reassert control over the military bureaucracy and the policy decisions it has pre-empted." "Bloated" defense spending, they say, is leading to the militarization of American society, the diversion of national resources from American needs, and the alienation of the young.

Who is to blame? Not so much the military as the civilian leadership of the nation, for having promoted service unification and intimate cooperation between the military and giant industry, says the report. "As a result, power once checked by rivalries and inefficiency is now wielded as a single force, defying effective democratic control." (What term is proper for a society in which the military-industrial system defies effective control?) What is at issue, in sum, say the report's signers, is the transformation of the United States into "a different kind of civilization."

A different kind of civilization—there is a disquieting thought. And one must bear in mind who the signers of this report are—not radical activists of the left or irresponsible carpers but 36 well-known members of the House and 9 distinguished Senators, including such men as Fulbright of Arkansas, Hughes of Iowa, McGovern of South Dakota, Harrison of New Jersey. They are not hysterical; they are not saying that fascism is upon us. At the same time, if we read them right, they are not saying it can't happen here either. We can't read the fu-

ture, but given a choice between the serious analysis presented by these men and Mr. Nixon's recent appeals to popular know-nothingism and nationalism, we have no doubt as to what the choice should be. It can't happen here unless Americans let it.

THE SHANNON AFFAIR

The tragedy of the Shannon case is less that of an individual and his career than it is that of a hierarchical system so narrow and in-bred that it inevitably confronts even the mildly independent thinker with the alternatives of compromise of one's principles or withdrawal from one's role. Bishop James P. Shannon, a man leagues removed from radicalism, did as the individual of moral and intellectual integrity could only do in his situation—he resigned as auxiliary of the Minneapolis-St. Paul archdiocese.

It matters little whether the remote cause was a cardinal's opposition born of some television comments, or the proximate cause dissent from a troglodyte encyclical on sexual morality. The unhappy fact is that a host of circumstances are forever at work in the system, demanding of the initiate a conformity which is automatic and unqualified, and thus under given conditions vulnerable to the perverse. In a way, it is the reverse of the Thomas More coin.

When conflict occurs, it is not difficult to know how to align one's feelings. The man who honors conscience and suffers for it is far more attractive than those who would manage events and ride roughshod over truth and human rights to protect an institution.

The tamperings with fact and the enticements to exile held out to Bishop Shannon by institutional guardians reflect shockingly on a Church whose prime values piously include truth and humanity. Both values were done violence in the Shannon case.

One feels sorry for Bishop Shannon, but it is a sorrow mitigated by admiration for the witness he has made to Christian conscience and intellectual integrity. For the institution one can only feel pity—pity for the theological pettiness which makes it impossible for a responsible progressive to work comfortably within its framework; pity, too, for the timid psyche which turns authority away not only from individuals like Bishop Shannon, but now, as recent episcopal appointments suggest, even from men of his generation.

It may be only a coincidence that the new ordinaries of San Antonio and Pittsburgh, for instance, are men in their 60s. But it is not unlikely either that it is the qualities of senior years and set attitudes that commended their appointments—qualities completely alien to what the times demand. Ultimately, this development may be the greatest of the tragedies in the entire Shannon episode.

A TALE OF THREE CITIES

Los Angeles

The Los Angeles mayoral election proved two things. It proved that a sizeable segment of a large American city will still respond to a campaign based on racism and fear; and it proved that another sizeable segment will not. Sam Yorty won a third term in City Hall here on May 27 for one main reason: he scared enough people into thinking that disaster would befall the city if his opponent, Negro City Councilman Thomas Bradley, were elected. Yorty is a past master at this game. He won his first term in 1961 by convincing the voters that Mayor Norris Poulson was allied with gangsters. He defeated former Representative James Roosevelt in 1965 by linking him to the Communists. He even wrote a pamphlet in 1960 attacking John F. Kennedy for his Catholicism. Thus the Bradley camp knew what to expect, but they were still stunned when the Mayor opened up.

On April 1, Bradley drew 42 percent of the vote in the primary to 26 percent for Yorty, and the mayor knew he was in trouble. He immediately started heaving everything he could find at Bradley, clearly operating on the assumption that if you throw enough mud some of it will stick. He played on every possible fear: Reds and blacks, crime in the streets and corruption in high places, the international Jewish conspiracy and the international student conspiracy. Then he tied them all together in one nameless and shadowy cabal that saw Los Angeles "as one big campus" ripe for takeover. The news pictures of guns at Cornell and helicopters at Berkeley added just the extra touch of realism he needed.

The Yorty campaign inevitably invited comparisons to the George Wallace campaign of last fall. Yorty was slicker and more professional; he did not embarrass people the way Wallace did at the end. But the Wallace campaign had something that Yorty lacked. The former Alabama governor had a true sympathy for the "forgotten people," as Nixon called them, the working class types who had just barely scrambled their way to modest comfort and fragile security, and resented seeing their hard-earned money go to finance welfare. Wallace was obviously a racist, but he also made many liberal reformers aware of a group they had conveniently ignored. (It is this group which could defeat John Lindsay in New York, and it is no accident that Lindsay is spending more time in Queens than in Harlem these days.) Yorty evinced little of this sympathy and understanding; he was selling dread, not compassion.

And yet, despite the torrent of fear which rained down on Los Angeles, 47 percent of the people still voted for Tom Bradley—in a city that is only about 18 percent Negro, and which suffered the first great riot of the sixties in 1965. Bradley ran far stronger than anyone would have believed when he announced his candidacy six months ago. The disappointment and outrage were so keen because, by the end, the Bradley people thought they would win. But Bradley drew far more white votes, for example, than Carl Stokes did when he was elected mayor of Cleveland in 1967.

Why did Bradley do so well? He had the almost unanimous support of state Democrats, whose meetings usually end up looking like the last scene from Hamlet. He had solid labor backing, a significant group of Republican businessmen (Yorty's strongest allies), and a large corps of volunteers first turned on to politics by the Kennedy-McCarthy battle in the California primary here a year ago. Most important, he had his own personality, a quiet and soothing manner which voters tended to trust. A lot of people just could not be scared off. In some ways, of course, voting for Tom Bradley was an easy gesture for many liberals, a painless way of "doing something" about a racial situation that usually seems completely confused and impenetrable. But pure political motivation is as rare as a movie without sex—and about as unrealistic.

So the 2.8-million people of Los Angeles will have to spend four more years under Sam Yorty (unless he finally wins higher office; he has lost three times for the Senate and once for Governor). But in some ways, the real lesson of the election is hopeful. In a city with a few more Negroes, such as Detroit or Baltimore, Bradley probably would have won easily; he would have won here if the election had been held 10 days earlier. If the politicians read the entrails right, Bradley's showing could encourage blacks in cities across the country to run for mayor in 1970.

STEVEN V. ROBERTS

STEVEN V. ROBERTS

(Steven V. Roberts is the Los Angeles bureau chief of the New York Times.)

Bye-bye Machine

Pittsburgh

When John Kenneth Galbraith followed the roast beef at last January's Roosevelt Day dinner of the Pittsburgh ADA, he took cautious exception to a previous speaker's

criticism of Mayor Richard Daley and used the occasion to salute Pittsburgh's mayor as "my good friend, Joe Barr."

The incident pointed up the sometimes strange working alliance between the office-holding old politics and the liberal pragmatists of the new politics in the remaining strongholds of the northern Democratic Party organizations. Joe Barr, two-term mayor of the Steel City, was titular leader of the party in Pennsylvania and uneasy wearer of the mantle passed to him by the late king-maker, David Leo Lawrence.

Governor Lawrence left a well-oiled machine, one which not only functioned smoothly and predictably for over three decades in conducting the affairs of Pittsburgh, but which could be counted upon to deliver in large numbers the votes which would swell the industrial northeast bloc for the party in Presidential outings. Its precision machinery was the ward system, and so well did it function that not even the Eisenhower years in 1952 and 1956 dented it; and last November Hubert Humphrey took the city handily. Who could have predicted that within six months the machine Lawrence built would have broken down, perhaps never to run the same again?

They are still shaking their heads in disbelief in Pittsburgh's tomb-like City Hall on Grant Street about the day the machine stopped last May 20. That day City Councilman Peter F. Flaherty, who gained his first public office four years ago with organization backing, nailed down the Democratic mayoralty nomination. Running against the machine, Flaherty carried all but eight of the city's 32 wards and put together an independent win—by more than 17,000 votes.

How he did it is still the chief topic among the local pols, but some things were obvious for all to see. Flaherty, a 43-year-old lawyer, had not set any fires on the Council, but he is photogenic and aware of the Kennedy style mannerisms and gestures. He geared his campaign toward young voters, utilized an imaginative advertising campaign and was sensitive to the frustrations and feelings of growing political impotence among the city's taxpayers.

His cadre of mini-skirted volunteers was supplemented by countless youngsters who responded to his "Pete!" campaign even in the city's elementary schools. Refused admittance to ward meetings to present his candidacy, he claimed the support of only half a dozen reform clubs,

● ● ● ● ● **Defense Policy And the Prudes**

Not long ago the Committee for a Sane Nuclear Policy officially adopted the title by which it had long been known: *Sane*. Now Dean Acheson, Paul H. Nitze and other Biggies of the Defense Establishment have announced their intention to form a Committee to Maintain a Prudent Defense Policy, which will doubtless come to be known as *Prude*. Humor is out of place in discussing *Prude*, however, for its founders make their seriousness quite apparent. The purpose, they say, is to insure a "balanced debate" on the ABM and other defense spending issues. These issues "are too grave to be governed by emotion," and according to the letter sent to prospective members, "it is plain that the anti-ABM campaign has capitalized on the disenchantment with the Vietnamese war, on a general feeling of alienation from Government, and on the desire to wish away problems of national defense." *Prude* calls for "a reasoned public response."

The *Prude* statement echoes one issued a month ago by the Public Affairs Committee of Freedom House. "There is grave danger," the committee

warned, "that the debate [over the ABM] may become primarily emotionalized or personalized." The committee adds that questions like whether the ABM will really work or whether the money could better be spent on critical domestic needs are "secondary questions that have been needlessly considered primary."

Now you won't catch me trying to argue with the terms of these statements. I am too well trained a Roman Catholic ever to doubt that reason is good, emotion bad. Reason leads to proofs for the existence of God, Natural Law, the principle of the double effect, and Truth in general. Emotion leads to concupiscence, adultery, Protestantism and overall fouled-up-ness.

Nor can I disagree that a lot of extraneous issues have got mixed up with the ABM controversy. Take "disenchantment with the Vietnamese war" for example. Why should any citizen—unless, of course, he were blinded by emotion—suspect that the authorities, who couldn't count the number of Vietcong before their eyes, might have difficulty accurately estimating the number of yet-to-be-built Soviet missiles? Or take "a general feeling of alienation from Government." What could be more unreasonable than that?

What troubles me about the *Prude* Committee of Messrs. Acheson and Nitze, and about the manifestoes of righteous moderation periodically issued from Freedom House, is their debilitating effect on public

mostly in the university district. Although Flaherty had been chairman of the Humphrey campaign in the county last year, many young people who had worked in the McCarthy effort became involved. Some recalled that he had been the only party figure to seek a dialogue with McCarthy and Kennedy workers prior to the Chicago convention.

However, the lack of any real gut issues in the Flaherty anti-machine bid had cooled most liberals and black voters almost to the eve of the primary, and his chances of defeating the organization appeared dim. Then the machine came through for him, mounting an anti-Flaherty vendetta, whose vituperation was exceeded only by its incredibility.

Spokesmen for the party—including Mayor Barr and County Commissioners elected in an ADA-reform campaign two years ago—participated in a politics of panic which sought to associate the organization challenger with every mood of public discontent. Flaherty, they said, fit into the “strange pattern” of the “new left and the Students for a Democratic Society.” He was linked with “evil forces” determined to destroy society. He was also a “Republicrat” working with the GOP District At-

torney—a conservative gangbuster figure.

Newspaper advertisements and television time by the organization choice, Harry Kramer, a former state legislator who resigned a \$30,000, lifetime orphans court judgeship to carry the party standard, pandered to the backlashers. They hard-lined law enforcement, school busing and student disruptions. (A crude drawing of the Cornell “insurrection” picture was accompanied by a Kramer pledge to arrest students who carry lethal weapons.)

The machine’s capacity for panic drove independents and liberals completely to Flaherty and did not scare the party’s payrollers whose disenchantment with the ward leaders was already an open secret. Mayor Barr is ready to close ranks but Flaherty is maintaining his pre-election stand to work “without the bosses and ward chairmen.” If he keeps it, the machine may be too rusty for repair.

Flaherty is cutting organization ties with full knowledge that for the first time in years the Republicans are presenting a serious contender, John Tabor, who held three state cabinet posts under two GOP governors and in addition to being a Yale honors and Harvard law graduate is of Slovak derivation—a big factor in Pitts-

debate and civil discourse. That may seem like a peculiar statement: it is the sort of charge usually reserved for the angry disrupters of the New Left or Black Militancy. Yet the anti-rationalism of factions of the Left is out in the open, even flaunted, and for that reason widely opposed. The effects of the Prudes and the Freeds are more insidious.

To begin with, pleas for “reason” and “balance” and their warnings against “emotion” are noticeably selective and oddly timed. Where were these concerned gentlemen when the Pentagon was caught planning a campaign of rigged news stories, or when Mr. Laird tried to bully the nation into an obedient fright by playing fast and loose with secret statistics? Has Freedom House’s concern with public debate ever led it to question the influence of defense funding on academicians, or even the operation of intellectual front groups by the Central Intelligence Agency? When Lyndon Johnson, no mean man for emotion himself, was parading General Westmoreland, Mr. Nitze was serving as Deputy Secretary of Defense. Mr. Acheson’s contribution to the Vietnam debate was to advise students not to mix morality with international politics. Freedom House rounded up 14 scholars—moderates, to be sure—to support publicly the Johnson administration policy.

If the Acheson-Nitze committee turns out to be truly rational and balanced, then my suspicions will have been unjustified. If, however, it turns out only to be another lobby for a certain defense policy, then

its sponsors should have stated their aims from the first, and not have tried to hide behind a disinterested concern for “reasoned public response.”

In recent years, the seeds of anti-intellectualism have been planted most often by those who liked to talk most about the danger of anti-intellectualism, while they mocked all intellectuals not fitting into their own narrow pattern; by those who repeatedly invoked “reason” and “balance” to cover special pleading for the interests they served; by those who struck poses of “tough-mindedness” while they provided rationales for the most illusory Messianism. Men like Irving Kristol and John Roche have done far more to corrupt rational public discourse in America than Abbie Hoffman or Jerry Rubin.

“When I hear the word ‘culture,’ I reach for my gun,” Dr. Goebbels is reputed to have said—and not without reason, for in those days whatever could be justly called ‘culture’ was implacably anti-Nazi. “When I hear the word ‘balance,’” a friend told me, “I look for the cop-out.” Unfortunately, he too is probably being realistic. For myself, I grew up honoring values like “reasonableness,” “balance,” “complexity,” and I do my best to honor them still. It is one of the scandals of our time that, just as the Communist parties did so much to discredit the ideal of socialism, the ideal of rational, nuanced discourse has been so badly sullied by those who make it a “code-word” for the status quo.

PETER STEINFELS

burgh's melting pot. More important, the Republicans are putting big money into the Tabor campaign. The election will be held in November. **RUSSELL W. GIBBONS** (*Russell W. Gibbons, former aide to a New York congressman, is now a labor editor in Pittsburgh.*)

One Issue: L & O

Minneapolis

Minneapolis, which established a national reputation for its pioneer work in race relations (it had the first Fair Employment Practices commission among large American cities under then-Mayor Hubert Horatio Humphrey) found itself in the midst of a classic "law-and-order" municipal election campaign this spring. Facing each other in the race for the mayor's office—one with little power in this city's archaic weak-mayor, strong-council system of government—were a Republican and an Independent.

Where was the Democrat (or Democrat-Farmer-Labor, as we call it here) candidate? Out; young Alderman Gerard Hegstrom, the DFL standard bearer, ran third in the April 28 primary election and was retired from public life. After eight years of enlightened city hall leadership under Mayor Arthur Naftalin, the city faces two years of rule by either a maverick Republican alderman, Dan Cohen, or a tough-talking, silver-haired police detective, Charles Stenvig.

Stenvig, the independent, scored a stunning upset in the primary, topping Cohen by 6,000 votes and leading the field on a pure law-and-order campaign. The high value placed by voters on the law-and-order issue came as a considerable shock in this City of Lakes, which has suffered little in the way of real violence, either racial or student. Minneapolis has a population that is 95 per cent white; the rest is black, Indian and Mexican-American, in that order.

The law-and-order issue, which continued to make the headlines and prime time as the city moved toward its June 10 general election, caused political observers to shake their heads. They couldn't believe law and order is a viable issue in the principal city (1960 population: 483,000) and a state where civil and human rights organizations, religious and secular, multiply and feed upon each other. Minneapolis is the home of the University of Minnesota, but the university has been the scene of only one student sit-in; it was settled without violence, without calling in police, and with only minor property damage. The city's two civil disorders were confined to the Plymouth avenue business districts on the Near North side in the summers of 1966 and 1967, where property damage was light—in comparison with other cities—and no lives were lost.

Some indication of interracial attitudes is shown by other results in the city's April primary. Five blacks ran

for the 13-man city council, and one made it to the general election—where his chances, however, seemed small. But hear this: eight other blacks ran for mayor, board of estimate and taxation, library board, park and recreation board, and board of education. Six of the eight made it to the June 10 general election ballot. Several were given good chances of going all the way.

Though law and order seemed to be an impossible issue, Candidate Stenvig did his best to make it work for him. And Candidate Cohen tried to show his brand of law and order was better. Stenvig, who is president of the Minneapolis Police Federation, announced that he "got a carbine and sat in the window" of his home one night when he was informed that "they" intended to dynamite his house and endanger his family. Cohen, who is president of the Minneapolis city council, responded by calling Stenvig "nothing more than the George Wallace in Minneapolis clothes." Cohen called Stenvig's action dangerous and irresponsible and added, Stenvig "says he's for law and order, but what he's really advocating is taking the law into his own hands."

Stenvig made frequent charges of a "double standard" of local law enforcement, indicating that minority group members got favored treatment in the courts and that sit-ins, take-overs and public disruptions were winked-at and condoned. Cohen, with a Harvard law school background and several terms on the city council, had an unenviable task as the Republican-endorsed candidate (municipal office candidates are officially non-partisan). He was forced to defend eight years of DFL rule under Mayor Naftalin in which steady progress in minority housing, employment and civic leadership was made and try to give most of the credit to the Republican-controlled council. One of the side issues was whether to retain Police Chief Donald Dwyer, a top professional in police-minority relations. Cohen said he would; Stenvig wouldn't make any promises about keeping his own boss. (Appointing the police chief is one of the Minneapolis mayor's few real powers.)

Whatever the outcome of the city's general election, June 10 reflected more than anything else the disorganization of the DFL party. The Humphrey-McCarthy imbroglio of 1968 continues to have its effect on the city organization as well as the rest of the state. Aldermanic candidates with the DFL nod were eliminated in some wards, and ward bodies were reluctant to endorse the surviving candidate despite the danger of loss to a Republican endorsee. Senator Eugene McCarthy announced that if he were voting June 10, he'd probably vote for Cohen. He asked that his statement not be put in the paper, but it was. Ex-Vice President Humphrey (who doesn't live in Minneapolis either) had not declared himself a week before the election. Perhaps no one had asked him.

BERNARD CASSERLY

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SISSON'S COMPLAINT, WYZANSKI'S PLOY



Putting the Supreme Court on the spot

ISIDORE SILVER

Chief Judge Charles E. Wyzanski of the Federal District Court for the District of Massachusetts ruled last April 1 that John Heffron Sisson, Jr., could not be inducted for possible service in a foreign, undeclared, war to which he morally objected. Although the decision, involving the Constitutionality of the Selective Service Law as applied to such a person, is obviously important, it is also fascinating for far more than its language and rationale. Wyzanski has virtually forced the Supreme Court to hear and decide an issue many legal observers believe it devoutly wished to avoid. Did Wyzanski do what he did—and, most importantly, do it in a particular way—to compel such review? Circumstances clearly indicate that this is precisely his intent. If so, the case provides an intriguing insight into the tensions which characterize the judicial branch of government as well as its more “political” coordinate bodies.

The *Harvard Alumni Bulletin* of April 7, 1969 vividly reported on the Sisson trial, prior to Wyzanski's historic ruling. The anonymous observer noted that Wyzanski “entered his courtroom at 10 in the morning, barked at the defendant for sitting in the wrong place, and threatened the spectators with possible legal action if they talked among themselves.” After presentation of an airtight case against him, replete with numerous witnesses attesting to his wilful failure to submit to induction, the defendant testified that he believed the war in Vietnam to be immoral. The judge seem unimpressed: “With the benefit of your superior education, I want you to tell me, as clearly as you can, exactly what you mean by ‘immoral’ and ‘unjust.’”

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Sisson testified that the war violated his personal moral code because it violated freedom and life. He stated his belief that the war was illegal and that the Nuremberg principle required that individual conscience must govern any decision about obeying a governmental directive. Judge Wyzanski allowed expert testimony about the war only to show that reasonable men could believe that the war was illegal. The reporter dryly commented: “If reasonable men do so believe, then the legality of the war would seem to be a fit subject for adjudication, but Judge Wyzanski would not allow further testimony on the point.” Since Wyzanski had ruled the previous November that he could not decide that question, the wonder was why he allowed *any* testimony on that point at all.

Wyzanski's charge to the jury then apparently negated the force of the defense attorney's suggestion that acquittal was in order. Wyzanski said: “The crux of the problem is whether the defendant unlawfully, knowingly and willingly refused induction. It makes no difference whatever if the defendant had the finest motives in the world, or if he had a reasonable belief that this particular war is contrary to international law. . . . If you allow yourselves to cast a political ballot, you will have been false to your oaths.” After deliberating for ten minutes, the jury found Sisson guilty; sentencing was deferred until March 31. “[I]n an unusual move, [Wyzanski] said that he would entertain before that time a motion for an arrest of judgment” (emphasis added). The rest is history.

But, what history! Why did Wyzanski, so evidently hostile to Sisson, almost instruct the jury to convict and then scarcely a week later nullify the conviction? Why did he “in an unusual move” tell defense counsel that he would entertain a rarely made (and rarely granted) motion for arrest of judgment? Why did he “arrest judg-

ment"—neither acquit nor convict—rather than simply acquit? An analysis of the Federal Rules of Criminal Procedure and Supreme Court appeals practice clearly indicates the reasons.

Wyzanski could have instructed the jury to acquit Sisson for the reasons contained in his later opinion. Indeed, even after the verdict, he could have acquitted Sisson either on motion of defense counsel or on his own initiative. He could have dismissed the indictment on motion of defense counsel, a course he had declined the previous November. Instead, he chose to kill (or at least wound) several procedural birds with one heavy stone.

The grant of a motion in arrest of judgment has several effects not present in the other situations. It does not constitute an acquittal—it merely postpones sentencing until a higher court rules on the matter. It is also appealable, as a matter of right, to the United States Supreme Court (as is a dismissal of the indictment, but the "record" for such appeal here would have been meager since there would have been no trial). An acquittal under Fed-

eral Rules (and probably Constitutional principles) is not so appealable. Also, an acquittal by a lower court judge means little in itself. It only insures that one defendant goes free, but does not affect the fate of other defendants facing similar charges. Although Wyzanski is Chief Judge of the Massachusetts District, the title gives his opinion no greater weight, even in Massachusetts. Under similar circumstances, Federal District Court Judges anywhere could rule quite oppositely. As the *Alumni Bulletin* noted, "Forty-eight men have been indicted on this charge since last summer. . . . Many more indictments are expected soon."

Another effect of granting the motion was to virtually insure Supreme Court review of the explosive issues. Had Sisson been convicted, he would have doubtlessly appealed through normal appellate channels. Thus, his case would have first been reviewed by the First Circuit Court of Appeals. If the conviction had been upheld there, Sisson could then have petitioned the Supreme Court for a writ of *certiorari* to review the judgment. If the Supreme

No Jew Nor Catholic Need Apply

Shortly before he graduated from the Univ. of Pittsburgh in June, 1968, John Ruskay applied for a conscientious objector classification. He was scheduled to matriculate at the Jewish Theological Seminary and a 4-D was easy to get. But Ruskay reasoned that since he was against all war any attempt to hide behind a divinity student's deferment would be moral timidity.

Three months later he was ordered to report before Local Board No. 6 in Valley Stream, a New York City suburb, for a "discretionary interview," that is an initial hearing before the full board.

On the face of it there was nothing uncommon about the request or the hearing. But this time there would be a difference; before Ruskay was dispensed with, the entire board would be caught in an embarrassing and apparently clear violation of the 1967 Selective Service law.

"It's quite clear," Ruskay says, "the members of the Board had not read anything in my file."

Ruskay remembers that session: "They did not know anything about the development of my views and even more important when they questioned me they insisted on one-sentence explanations to problems I find terribly complex, such as how I reached my pacifist opinions and where in the Bible did it say that a Jew could be a CO. I tried to tell them about

the often contradictory but still traditional Jewish acceptance of non-violence but they wouldn't hear of it."

One Jewish board member did finally offer his own opinion. "I've been a Jew all my life," he reportedly said, "and a rather learned Jew too, and I find nothing that supports the idea of Jewish COs."

Normally that hearing would have badly hurt Ruskay's application, for local boards, in spite of prevailing folklore, are accountable only to themselves. Criteria vary from state to state and town to town, and policy guidelines from Washington are usually marked "advisory only," instead of being mandatory.

Thus when local board members decide arbitrarily that no Jews may be COs—or for that matter, no Catholics either—the applicant is in a difficult position. And no young man yet has been able to show conclusively that his request for CO status had been rejected because he belonged to the wrong religion. Therefore, many local boards could assert publicly that they were after all judging each case on its merits and that potential COs had simply failed to prove their case.

This time, however, the unexpected happened. At *Oneg Shabbat* services in Cedarhurst, Long Island's Temple Beth-El, a member of Local Board No. 6, Gerald Berman, approached Rabbi Edward Sandrow and, according to his testimony, Berman volunteered the information that Ruskay, a member of Temple Beth-El, had appeared before the Board recently and been refused CO status because "only Unitarians, Quakers and Seventh-Day Adventists can be COs."

Rabbi Sandrow was, in his own words, "shocked,"

Court wanted to duck the issue (as recent, frustrating experience indicates) it could simply have denied the petition for no stated reason. Since it regularly denies petitions in more than 85 percent of the cases sent to it, the Court would not have acted unusually. Lest anyone be deluded, the Court does not grant writs simply because the issues involved are important ones. It often denies petitions because (in its own words): "The question had better await the perspective of time or that time would soon bury the question, or, for one reason or another, it was desirable to wait and see." Clearly these seductive rationales would probably have precluded review of Sisson's case.

Had Sisson's conviction been reversed by the First Circuit (an unlikely possibility), then the government would have filed its own petition. Again, the Court would have had unlimited discretion to deny it. Although a petition under these circumstances might have been granted more readily (since all Federal courts in the First Circuit would have been bound to follow the ruling), the issue could

have been again avoided (or delayed, until a conflict in Circuit rulings had developed).

Appeal from Wyzanski's action comes under a different set of rules. Since he held a Federal law unconstitutional on a motion for arrest of judgment, and the government appealed, the Supreme Court could dismiss the appeal only if it found that "no substantial federal question was raised" by Wyzanski's opinion. The Supreme Court's discretion here is limited both by the nature of the appeal and the posture of the case—the government appealing a holding that a federal law was unconstitutional. As the authors of the definitive work on Supreme Court practices state, "The absence of a *substantial* question means merely that the questions raised have too little merit to warrant oral argument in the Supreme Court." Because of this standard, the Court commonly accepts such appeals. Obviously, it would be patently absurd for the Court to deny that a substantial question is present in the case. If it said so, it would automatically place its imprimatur of respectability on Wyzanski's rul-

but even more so when Berman, who has a reputation in the community as a "Dove" went on to say that it wasn't necessarily his personal opinion "but was and is the assumption of the Board itself." He concluded his remarks by telling the Rabbi that "none of the other supporting letters and documents or Ruskay's own papers were read because no Jews can be COs."

Sandrow, who soon sent off a letter of protest to the Board and to the State Director of Selective Service, then asked Berman, angrily, "Who gave the Board the right to say that no Jews could be COs? Were they expert in Jewish law? Did they know that the rabbis have consistently supported the contention that Judaic tradition supports and allows for conscientious objection?"

In the meantime, Ruskay was ordered to report for a second hearing. This time he brought further letters of support from the Jewish Peace Fellowship of Nyack, New York, to which he belonged. He was also accompanied by Rabbi Eugene Weiner, director of the Herbert H. Lehman Institute of Talmudic Ethics at the Jewish Theological Seminary. Awed by Weiner, board members this time deferred politely to the pair and allowed lengthy—and for a time Ruskay thought, profitable—discussions about Judaism and non-violence. He was once more denied CO status but, of significance, he learned of the Berman-Sandrow conversation.

Now, for the first time, Ruskay believed he had incontrovertible and unassailable evidence that CO applicants from non-peace churches were victims of discrimination. He brought in lawyers who immediately asked the State Director to open an inquiry into Local

Board No. 6 so as to determine which of them had been biased, to remove the guilty from office, and to reopen the cases of all applicants who had been denied 1-O classification. They ended with the warning that with the clear backing of rabbinical and lay leaders Ruskay was going to press the matter.

At this time the matter rests, but only temporarily. Senator Charles Goodell and Congressman Allard Lowenstein have both lent their support to Ruskay and called for specific guidelines to explain the law on CO's to all local boards. The State Director carried out his inquiry and made no announcement, but very soon Local Board No. 6 will take a third look at the Ruskay case. This time, hopefully, they will read the documentation.

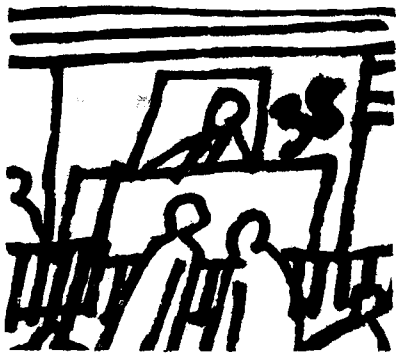
Whatever the outcome of Ruskay's fight this much is clear: given the kind of evidence he has, coupled with pressure from above, perhaps all local boards may soon be compelled to follow the law and not their emotions. If that comes to pass then those who cannot in good conscience participate in killing will be allowed to step aside in increasing numbers and to seek alternative service. If on the other hand Selective Service remains as obdurate as SS has in the past, then it will be further evidence, if that is necessary any longer, that it teeters on the edge of madness. For in addition to telling young men they may have to die in a stupid war, local boards will be called on to determine the depth of a man's convictions by which religion he chooses to follow.

MURRAY POLNER

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ing. The effect on other federal courts would be virtually the same as if the Court had taken and decided the case in Sisson's favor. Clearly, it cannot afford to avoid the matter.

Another fact should dispel any lingering doubts about the purpose of Wyzanski's unusual actions. When the "arrest" motion was made, the judge was distressed. He felt that it was grounded on the wrong theory: an argument the preclusion of the defense of illegality of the Vietnam war in a criminal trial denied the defendant due process of law. He impatiently observed, "Important as is the new issue, defendant indicated both before and during the trial that he also intended to preserve his older contention. . . ." Thus, Wyzanski appeared to rescue defendant from what he regarded as an ill-conceived choice of grounds for the motion. "It would have been better



practice to make in the motion for an arrest of judgment a more detailed reference to and repetition of that earlier contention." Despite this, Wyzanski plowed on to what he considered to be the crucial issue—the legality of calling one who morally objects to an undeclared, foreign war to possibly fight in it.

In his opinion, Wyzanski clearly demonstrated his disenchantment with previous Supreme Court decisions on issues of conscientious objection. Thus, of the 1965 decision in *Seeger vs. United States*, where the Court interpreted the word "religious" in the conscientious objector provision to mean a moral force equivalent to that of a Supreme Being in formal religion, he snorted: "The Court purported to look only at a particular statute. It piously disclaimed any intent to interpret the Constitution or to examine the limitations which the First and Fifth Amendments place on Congress." He dryly noted that commentators on the decision have given the case much more significance than the Supreme Court modestly claimed for it.

He went on to tell the Supreme Court that the *Seeger* rationale upholding the conscientious objector law is equally applicable to Sisson's attack on it: "The rationale by which *Seeger* and his companions on appeal were exempted from combat service under the statute is quite sufficient for Sisson to lay valid claim to be constitutionally exempted from combat service in the Vietnam type of situation." In short, he dared the Supreme Court to

expand its moral force C.O. doctrine into a Constitutional argument.

At the end of his opinion, he feared that the Supreme Court might attempt to avoid the issues he raised. Being a court of last resort, it, unlike an inferior court, can confidently rest its judgment upon a narrow issue; that narrow issue, he (as well as most scholars on the subject) agreed, was whether the First Amendment permits Congress to exempt religious objectors (and only certain of those) from the law. His brief answer to that question was "no."

Wyzanski decided that the selective service exemption is unconstitutional—in general (on the last rationale), and, as applied to Sisson, on the broad theory. He thus found that the indictment "does not charge an offense." Whether the decision was dictated by the logic of Sisson's legal position rather than the logic of Wyzanski's decision to compel the Supreme Court to hear the matter is an interesting question. There is some doubt about the propriety of an arrest of judgment on Wyzanski's major ground and even whether an arrest on that ground (which may be improper) can be combined with one on the minor ground—and the Supreme Court may yet try to squeeze out of taking the case for an arcane reason based upon these considerations. Obviously, Wyzanski found the arrest of judgment rationale legally palatable, as well as necessary.

Whatever the procedural hang-ups, whatever the alternative possibilities (acquittal, a broad interpretation of "religious," or conviction followed by appeal), it is obvious that Sisson's Complaint has become Wyzanski's Ploy. The function of the judiciary in our complex legal system is not to apply abstract logic to determine (usually mythically) whether laws pass Constitutional muster; an independent judiciary must pass critical judgment on the often ill-conceived acts of legislators and apply the enduring values of American life to undermine the legitimacy of such acts. If a judge is out of tune with such values, he will be quickly slapped down—by a higher court, or in the case of the Supreme Court, by enactment of new laws or even Constitutional amendments. Courts ask the vital question, "Is this really what you want to do?" By holding laws unconstitutional (or giving them—as in *Seeger*—questionable interpretations), courts buy time for mature reconsideration. If the society wants its bad laws badly enough, it can—and will—get them, and no court can stop it.

Wyzanski's decision enunciates an enduring value: "When the state through its laws seeks to override reasonable moral commitments it makes a dangerously uncharacteristic choice. The law grows from deposits of morality. Law and morality are, in turn, debtors and creditors of each other. The law cannot be adequately enforced by the courts alone, or by the courts supported merely by the police and the military. The true secret of legal might lies in the habits of conscientious men disciplining them-

selves to obey the law they respect without the necessity of judicial and administrative orders. When the law treats a reasonable, conscientious act as a crime it subverts its own power. It invites civil disobedience. It impairs the very habits which nourish and preserve the law."

The relevance of the testimony about the illegality of the Vietnam war also becomes apparent. Sisson is not a crank; his moral objection is not peculiar but reasonable under the circumstances. His values are not bizarre and there is respectable authority for his lonely defiance of the state. Judge Wyzanski will not permit a "reasonable,

conscientious act" to be treated as a crime. He wants to protect others in Sisson's position. As a lower court judge, however, he cannot do this; only the Supreme Court can.

Wyzanski has used his judicial power to compel the Supreme Court to look at a vital national issue. Instead of questioning his methods, we should wonder why they were necessary. After all, ironically, it is this same Supreme Court which, by use of its judicial power, has compelled the rest of society to face its fundamental problems.

Reflections on 'A Long Journey'

COMMUNIST-CATHOLIC NEUROSIS?



CARLO A. WEBER

The lure of the ideal community is an insistent one for estranged men. Whether the call be uttered by Plato or Freud, by Karl Marx or Pope John, it expresses the common dream of regaining some lost unity, the lost continent, Atlantis, where we were all once one. With Plato, we yearn for cosmic unity, and with Freud, for an "archaic heritage," floating somewhere near the floor of our unconscious. We speculate about the "community" of Karl Marx, the "Great Society" of LBJ, or the emerging unity of the Mystical Body, in which there is really only one man. Aquinas wrote that "... many men are derived from Adam, as members of one body," and that all mankind described essentially the life of one man. We commonly appear to need and pursue relentlessly that sense of community.

A Long Journey by George Charney (Quadrangle Books, \$7.50) describes one such odyssey in pursuit of the common dream. Charney, New Yorker, Jew, lawyer, rose from rank-and-file membership in the American Communist party to some measure of fame during the McCarthy-generated trials of 1951, to a stint at Lewisburg, and finally to national party leadership. His book faithfully describes the inner machinery of the party from 1933, when he joined, to 1958, when he resigned. In an unusually human view of the pettiness, machinations, and inhumanity of the party, he records with tenderness the dream of communal justice, and with pathos the collapse of that dream.

Alive still in the memory of George Charney, the odyssey unfortunately reads in fact like a long, dull jour-

ney, an exhumed playbill with biographies of unknown dancers in a scarcely remembered ballet. The "dramatis personae" are, for the most part, faceless strangers, given life in the memory of a single man. Occasionally, one does find a familiar name. The revisionist, Earl Browder, recalls the memory of a man whom most of us were taught to dislike as children. And Louis Budenz, whom Charney dismisses with rare scorn as an opportunist who used the party in an unsuspected manner to feather his own nest, once became a paper hero for Catholics; somehow or other, he had established the Catholic's loyalty to his country, a fact not always hitherto granted. But much of the book reads like a glossary of names of men whose descriptions scarcely relieve them of their anonymity.

Carefully described intramural struggles that ravaged the party in 1936 might just as well have taken place in 1536. Once over the threshold of recognition, such events merge in the somewhat timeless vat of history. Even descriptions of the Communist party's participation in the Spanish Civil War, though very much alive for Charney, seem now remote. I recall the war, of course, because we had to be "for" Franco, who, after all, was fighting a "neo-crusading Christian" battle; but it is a dim memory. So many wars have interspersed that one is tempted to ask: Was there really a Spanish Civil War? And did it come before or after the French Revolution?

Charney writes: "All this occurred more than thirty years ago. But, as I recall it today, the story takes on a new poignancy, for then it was part of the struggle for a new world; and if we wept over our dead, our vision remained unblurred. Our eyes were on the future, on the great fulfillment to come."

But the vision has been erased. Only Charney's nostalgia for the movement and the men who made it re-

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main. Time has tragically cast these men aside, leaving them but a footnote in history. One wonders how our violent struggles today, sprinkled with such provocative names as Hayakawa, Daley, Cleaver, will seem to the reader of a mythical autobiography, written by an again "I-was-there" witness in 1999?

A Long Journey is a rather dull journey; but dullness may be its key. For Charney effectively demonstrates that the romanticized perspective from outside is always so different from the view from within. Organizations that appear glamorous and dangerous to the outsider are often in fact dull, toothless, and lackluster inside. From such a romanticized view, Communism is still an international conspiracy, to which can be attributed every uprising of the oppressed in every corner of the globe. For those who might still entertain vestiges of such a view, it might be well to read *A Long Journey*. The view from inside is shockingly different. But our need to romanticize the "enemy," whoever he may be conceived to be, into an incalculably organized and single-minded band of robots, is tenacious.

Michael Harrington writes in his Introduction to the book: "At the height of the McCarthy period, many Americans (and not just McCarthyites) had very definite ideas of what a Communist was like. He was a principled totalitarian, a member of a monolithic international conspiracy, and an actual or potential member of the Soviet espionage apparatus."

Indeed, my own naive impression of a Communist at that time fit this description. He had to be a sinister, ruthless, and brilliant man, whose access to international political legerdemain, via some clandestine contact with a Moscow-based communications network, led him magically through a mysterious world of intrigue. Contradictorily, Charney's world of American Communism is peopled by men, ambitious and weak, noble and petty, intelligent and stupid, like any other collection of men, endowed with no special talents, operating with little sinister wisdom, kidding themselves often, stumbling along with occasional success, and bound together by the most elusive of ties—just ordinary men. Were we ever able to grasp the fact that the weaknesses we see so clearly in ourselves flourish in others around us as well, we might at length demythologize the conspiratorial genius of the monolithic "other." Homer does nod; Christ did get his feet dirty; world leaders have been known to pick their teeth publicly. We all do share the same humanity.

It is the dullness of Charney's account which con-

tributes in large part to this demythologization. The American Communist party turns out to be just another organization of men. And in time, it was the organization that grew, not the men within it. And it grew in the now familiar patterns of bureaucratizing growth. From unpretentious roots, the party spread, until it became too big for itself.

"The party," Charney writes, "which hitherto had been oriented to the naked forms of the class struggle, such as picket lines, and relief struggles, now acquired an astonishing flair for election politics as well as a capacity for expert organization and mobility." Precisely this is the self-destroying fact of the communal dream: structures take over. They grow in time larger than the original experience they were created to sustain; and when they do, the original vision vanishes, replaced by a machinery which becomes unwittingly self-perpetuating. It spawns endless cadres of look-alike bureaucrats, their collective gaze focused tenaciously within, to the mechanics of the structure, rather than outward, to the goals to be accomplished. The fact seems inevitable to organizational development, whether the group be a business gargantua, a political party, a labor union, the Roman Catholic Church, the SDS or the BSU.

At the point in his history, where the structure of the American Communist party reached that size, Charney's narrative becomes strangely confused. The people are still described; the party procedures are described; but the two are no longer successfully interwoven. The mood of the period seems mirrored in the narrative style. More and more steadily, the party came to dominate the people. Their personalities gradually obscured, they seemed to disappear. Once carried on an ideological wave, they were now disillusioned; factions grew; power struggles occupied more and more functioning time; the number of defectors increased; party spokesmen began to spend more time rationalizing defeat and attempting to encourage one another with worn and hollow aphorisms. The seeds of collapse spread.

Ironically, Charney's experience with the Communist party in the 50's seems to parallel in a remarkable way the experience of many dissenting priests, religious, and lay Catholics with the Roman Catholic Church in the late 60's. For in the Church too, the structure has grown to dominate the individuals. There are widespread and public disillusionment, many "defectors," and mammoth corporate efforts to rationalize and deny. Charney is not, therefore, describing simply the inner psychic life of the American Communist party. He is describing the inner decay of any communal abstraction where individuals are strategically sacrificed in the name of the common "cause." His chronicle adds another important document to mounting evidence that ideologies, no matter how noble, are never so important as people.

Charney's membership in the party, born of ideological conviction, ended in personal confusion. His friends had

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been continually sacrificed for the "ideal"; human interest had been scrapped for the "interests of the party." But it was the failure to serve the individual person that eventually led to the party's downfall.

At the outset, Charney could say that "... a new era had dawned," and "We believed we were the chosen people." They were, he writes, "... inspired by a common purpose, and a common goal. Every act—a speech at a street corner meeting, a demonstration, a conference in a Church—all seemed a vitally integral part of this mission." But the noble aspirations gradually gave way to disillusionment.

The harsh intolerance of life in the party came to light later in the history of the movement. And then came the long winter's night, the failure of the ideology alone to sustain the movement, and the ultimate realization that people are larger than ideologies. We are offered the clue to this de-personalization within the party, when Charney



writes, subsequent to Stalin's dethronement, that "... neither could I, or we, separate Stalin the man from Stalin the Bolshevik."

In this respect, Charney again could as easily be describing the disenchantment of so many with the institutional Church and religious communities. Memberships born in ideological conviction are dying in personal confusion. Human interests have been systematically scrapped in the name of the community. Moreover, the process of anti-individualism has been accorded additional credibility by invoking a dualistic asceticism to provide a rationale of sorts.

Manichaeism in origin, the venerable ascetical tradition tends to separate the human from the divine, the material from the spiritual, and in doing so, ultimately comes to debase the human and the material. It were as though the Incarnation had never really happened; God had not really become man, because the two are irreconcilable. The heresy has been kept alive in religious institutions by the repetition of unsubstantiated and often unchallenged spiritual nostrums—"keep the rule and the rule will keep you," "one must avoid being singular," "it is not the person whom one obeys," etc.

Such an asceticism easily becomes the servant of the structure, helping to perpetuate it. Its expressions become in time the slogans of institutional survival. Dissent is

thought to be intolerable and disloyal, as it was in the American Communist party, because the organization must, at all costs, preserve the appearance of corporate unity, even when there is none. Analogies in this context could be cited almost endlessly.

There is yet another familiar theme running through *A Long Journey*. Despite the candor of Charney's narrative, the American Communist party during its heyday was an underground movement "par excellence." There are now, of course, countless underground movements of all hues in the United States: an underground press of growing strength, an over-popularized underground Church, etc. None, however, enjoys more of the necessary touches of evangelism, conspiracy, a feel for persecution and martyrdom than did the party, possibly the prototype of our contemporary undergrounds.

Charney's account lays bare the inflexibility of the liberal, the ego-feeding sense of unity amidst persecution, the twisted joy of standing in the face of a crowd of hecklers who could not appreciate the nobility of the "cause." I have sensed the same curious yen for intrigue, secrecy, and persecution drawing together a group of relative strangers in a living room where an underground Mass is about to be celebrated. I have felt the intrigue of being clandestine, of setting oneself, not without risk, over against the authoritarian power-structure. And it seemed for a moment that the incentive for the meeting was the need to be underground as much as the need to celebrate Mass in a meaningful way. This is surely not the prevailing climate in the underground liturgies, so-called, but it becomes a distinct danger where the "underground" features are over-emphasized.

Such a radical spirit unfortunately does not survive after the oppression is lifted. The life-blood is sapped; the spirit is left limp. The one thing that the "underground" cannot endure is to be ignored. Without the "holy cause," the battle, the movement flounders, and the pathos of uncertainty rings through hollow chambers where cries of anarchy and the "fight against oppression" once rang out.

If any movement dies when it is no longer oppressed and persecuted, its origins cannot be beyond suspicion. So it happened with the American Communist party. After the trials, the persecution, and the imprisonment of some members, came the years of upheaval that eventually led to Charney's resignation. And so it seems now to be happening, if I may draw the analogy, with much of the alleged Underground Church.

The Underground Church also grew out of the experience of dissatisfaction and oppression. It was nourished by a holy cause: the need to worship together in a manner more meaningful than the mumbled exercises in indifference that characterized the liturgy as performed in the normal local parish. There was a glow of warmth and excitement as groups huddled together in secret in someone's living room, and a palpable feeling of being bound

together in adversity. There was also a Messianic spirit in those early gatherings. Some felt the evangelical need to spread the new "good news," the new gospel of brotherhood in worship. But conversation tended to gravitate more often than not to the very real dangers involved in gathering together in such a fashion, and of the penalties meted out to some who dared to do so. Word of the few who had been censured spread, and gradually a calendar of "neo-martyrs" developed. Occasionally an odd group gathered, titillated more by the knowledge that they were part of something new and revolutionary than by the need or respect for worship itself. In these groups, the celebrant assumed something of the role of the traveling minstrel man, expected to perform some occult magic for a waiting audience. The "holy cause," in such instances, was being lost in the side-effects.

The oppressive ingredient was also being lost. Priests, in large part, had already tested the limits. There was not much more that Church officials could do; there were no more canonical thunderbolts to throw. Bereft of the "noble cause" and freed from oppression, there was little further need for secrecy. The "underground" was underground no more; one did not listen for the beat of the Roman boots on the pavement outside. And those groups that had been spawned as a function of the excitement of oppression and risk simply and quietly dissolved. Those that have continued are clearly composed of wor-

shippers who have always been sincerely motivated by the fellowship of communal liturgy. They gather, as they have in the past, without much that is sensational or "avant-garde," to praise God together in a meaningful way. The "noble and exciting and dangerous cause" theme is muted; oppression is minimal; the persons worshipping together remain. As in the history of the American Communist party, the people have outlasted the cause.

Perhaps the most poignant section of Charney's account turns about that period of time, after 1955, when he knew that the ideals of his generation of American Communists lay in ashes, and that it was only a matter of time before he himself, then party chairman for the state of New York, would be obliged to abandon the sinking ship. For at least three years before he resigned in 1958, the end had been visibly in sight. During that span of years, Charney was obliged to examine repeatedly his reasons for remaining within the party. There were, to be sure, strong ties to the movement, fashioned over a quarter of a century. There was also the fading hope that the movement would eventually transcend the Stalinist period and spring alive again. There was the consideration of the prestige attached to positions of leadership in the party, finally won after years of service, instantly to be lost if the leaders returned to civilian life. There was the simple difficulty of visualizing life outside the party after so many years. And above all, there was the feeling of responsibility to others still in the party, who, for reasons of necessity or choice, expected to remain. They and others now gone were friends.

One cannot help but reflect again at the similarity of Charney's narrative at this point and the reasons proposed by many loyal religious, faced with the imminent dissolution of religious communities, as we know them today, for remaining with the ship. The similarities, it need hardly be said, are phenomenological only, and in no sense imply identity; but similarities there are.

For many religious, there are strong emotional ties, habit patterns, formed over many years. There may also be the illusion that it is only a matter of time before the present hapless phase of diminution is complete, and conditions in the communities and in the Church at large will be restored to their normal, neo-traditional even keel. This belief holds on, all empirical evidence to the contrary notwithstanding, among those who cannot envision the Church without the religious communities as they are now constituted, or without a specifically Roman bureaucracy.

There is a natural resistance to launching out into uncharted waters; and it is easy to rationalize that resistance by attributing to the religious communities or to the Roman Curia some divine necessity they cannot rightly claim. And it is difficult to visualize life without the familiar and often comfortable customs and structures with which one has lived for a good many years, or to relin-

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quish the somewhat artificial prestige attached to the simple fact of being a member of a religious community. Honor and deference, not normally accorded to others, can be lavished on the religious person, often by a kind of appointment rather than personal merit. And consciously or not, such honor and deference can be keenly sought. All this would be instantly lost were one to return to a modality of "civilian life," or to exchange the religious habit for a business suit. But above all, there is the felt responsibility to close friends with whom one has lived and worked. All these reasons, identical in many respects with Charney's, conspire to keep many in religious communities who might otherwise join the exodus themselves.

Conditions, therefore, are largely the same in any communal way of life, be that the American Communist party, the Roman Catholic Church, its religious communities, or even the short-lived Underground Church. Nor are the parallels restricted to ecclesiastical examples.

We are now repeatedly reminded that we face severe threat from the growing military-industrial complex in the United States, not dissimilar in some respects from the threat of growing Fascism that Charney describes in 1933. And we are still patently confronted by the plight of the black man, the Mexican-American, and the American Indian, to whose desperate situation much of the party's idealism was at least verbally dedicated. Marxism was not the solution; nor perhaps are Romanism or religious communalism.

Perhaps the essential message in Charney's book is simply that no "-ism" can be the answer. And as such, *A Long Journey* is another sentence on the epitaph now being written over the communal dream, and another vigorous testimony to the fact that no ideology as such can ameliorate the human condition permanently or substantially. Ideologies ultimately tend to divide people rather than unite them, especially when the individual people are exploited in the name of the "holy cause." We shall not be freed by Communism, humanism, liberalism, Catholicism or Americanism; that job remains for human, liberal, catholic Americans, living in community.

GREG KUZMA

LOOKING FOR METAPHOR

I have been waiting here
in the forest for hours
for the one flower to open
into a trumpet
for a fish to jump out of the water
and turn circles in the air
like a man who has just
found himself.

42ND STREET COWBOY

THE SCREEN

Anyone feeling strong would do well to see "Midnight Cowboy." He'll come out feeling stronger and wiser and perhaps a little less smug. He'll also see an extraordinary movie that holds one's attention throughout—in spite of its grim story and grimy view of New York as it follows Joe Buck, the title character, from his small home town in Texas through his experiences in the big city where this hustler hopes to make a fortune off of rich, sex-starved women. No cowboy is Joe, but we do see one shot of him as a little kid on a rocking horse, and during most of the film this well-built young man wears a snazzy cowboy outfit including boots and a leather jacket with fringes. Joe is probably the most naive leading character to turn up since Booth Tarkington gave us Willie Baxter in *Seventeen*. Willie at least came from a normal midwest family. What Joe came from, except for that Texas town and a grandmother (expertly played by Ruth White) who loved him but was too busy with other pursuits, I am not too sure. Since I didn't read James Leo Herlihy's novel from which Waldo Salt wrote his good screenplay, I found director John Schlesinger's quick-cut flashbacks a little too flashy and quick to fill in the details of Joe's past. Schlesinger used a similar technique in his "Darling" and "Petulia," but in "Midnight Cowboy," he seems to take it for granted that we are familiar with the original novel. I'd like to know a little more about the background that produced this tall, muscular fellow who thinks he's God's gift to women and is deadly serious about his mission in life as a hustler and stud.

Perhaps Joe is to be more pitied than scorned; but in any case he has to be laughed at in some of his misadventures. His first New York venture after strutting up Park Avenue in his absurd costume is with a tough dame who takes him up to her penthouse apartment and practically devours him before he discovers she hasn't a cent; she takes 20 bucks from *him*. Realizing that hustling is no bed of roses, he decides to try the homosexual trade on 42nd Street; but after a session with a college boy in a theater balcony, he finds himself no richer.

When he first meets Ratso Rizzo, a sweaty, unattractive, Italian thief and pimp from the Bronx, Joe is taken in again, but later instead of giving lame Ratso the beating he deserves, Joe moves in with him in his dirty flat in a condemned tenement building. Perhaps these two fellows deserve each other. Joe's fortunes improve little, even under Ratso's management. The two bicker continuously and begin really to care for each other. What develops is a strong friendship that is never an overt homosexuality but a special kind of love, each with genuine concern for the other.

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While one doesn't admire Joe or Ratso, one understands them and appreciates the compassion Schlesinger is able to convey for the two young men through their fine performances. One must also admire this good English director's feel for the locales of his story. One doesn't point with pride at the America he shows. One even cringes at the film's satirical thrusts, but this is how it is in the land of midnight cowboys. PHILIP T. HARTUNG

modern existence and an extraordinary ability to get it all down without compromising its complexity. The parallels are fascinating to trace—history mirrors experience, scientific revolution influences man's conscious evolution, trends interact with temperaments, political disasters reflect psychological disorders. Two lines of development are formed. Public events follow a chronological scheme in which crucial dates function as convenient signposts. Private experience is coincidentally dramatized as the Coldridge clan serve as a microcosm of deteriorating English and Western society.

One of the more illuminating analogies concerns the *Zeitgeist* and how individuals seem at different points in time. During the early fifties, when England is going through anti-left hysteria, Mark Coldridge is persecuted, them embraced in the "jolly and easy and liberal" later fifties, only to be dropped when the radical sixties brand him reactionary conservative. Lynda Coldridge, a modern Cassandra, is an alarming barometer of the fickle *Zeitgeist*: strait-jacketed behind institution bars in the forties, drugged into oblivion in the fifties, accepted as eccentric during the sixties, and, during the seventies when ESP is all the rage, hailed as a "seer," her hallucinations proclaimed as prophecies.

A further parallel juxtaposes the blind force of history, manifested through periodic wars and inquisitions, against emotional, essentially irrational, logic which propels individuals into unforeseen self-destruction. Ending with an appropriately gratuitous event, Doris Lessing forecasts the holocaust that is to take place within the next ten years: an airplane transporting missiles crashes accidentally over Oxfordshire. The quintet comes full circle, ending in a rehabilitation center in Nairobi on the continent of Martha's birth—an ironic allusion to her illfated quest for a utopian four-gated city. This in turn reinforces Mark's concept of a city in the desert desecrated by irrational hordes, for, as a center of an emerging civilization, Nairobi possesses the seeds of its own inevitable destruction.

The book-within-a-book motif provides the novel's supreme analogue and ultimate paradox. *A City in the Desert* was considered by Mark to be "unreal" compared to his proletarian piece, yet its ending matches that of *The Four-Gated City*. Such is Doris Lessing's way of showing that even artists function in a vacuum—unmoved, hapazard, unconscious of the connection or consequence of their endeavors, and, therefore, like the scientists, psychiatrists, political leaders and other high priests of our consequently violent age. If Miss Lessing has failed to do anything technically innovative, it may be because she has so judiciously guarded the gates of reason and foresight, no small feat in a mindless decade.

Hearers of the Word

KARL RAHNER

Herder and Herder, \$6.50

JOHN C. CORRIGAN

This is an altogether remarkable contribution to the philosophy of religion and to fundamental theology, and it is no less so for being now nearly thirty years old. Karl Rahner's *Hörer des Wortes* first appeared in 1941; out of print for years yet much in demand, it was substantially reworked at Rahner's suggestion by his former student (and now colleague at the University of Munster), J. B. Metz, who brought out this new version in 1963. *Hearers of the Word* is a translation (by Michael Richards) of this second, revised, edition.

Like Rahner's other major philosophical study, *Spirit in the World*, *Hearers of the Word* is an exercise in "transcendental Thomism"—i.e., it combines the transcendental method with a profoundly Thomistic perspective. This approach is familiar to readers of Joseph Maréchal, Pierre Scheuer, Joseph de Finance, Emerich Coreth and Bernard Lonergan, among others, and it has proven remarkably suited both to what is best in Aquinas and to the critical temper of the modern intellect. Transcendental philosophy tries to satisfy both the empirically-oriented demand for "sticking to the

SUMMER SESSIONS

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evidence" and the more classical concern for some insight into metaphysical realities not necessarily limited to space and time, by beginning with the evidence inherent in the very act of being as such. It is strenuous philosophical work because of the difficulty in making explicit the horizons which are the conditions for, and background of, our thinking and our action, and which we take utterly for granted. But because it starts at the very beginning and asks about *asking* itself, it pays handsome dividends in intellectual consistency and over-all coherence.

Whereas *Spirit in the World* is an extended commentary on Aquinas' doctrine of the incarnational character of all human knowledge, *Hearers of the Word* uses the transcendental approach as a means of examining the relationship between philosophy of religion and theology. Since the first step in analyzing a relation, however, is to determine the nature of the things related, the book is mainly devoted to an examination of the nature and function of the philosophy of religion itself—as a sort of groundwork for the fuller study, which he intended to reserve for a later effort (never, unhappily, fully carried out).

Rahner holds firmly that philosophy of religion is no arcane subspecialty within the larger field of philosophy in general. Once religion is in the picture at all, then we are dealing with man's search for, and knowledge of, God. Any philosophy of religion, therefore, which would wish to be more than merely "descriptive history of religion and psychology of religion," will have to grapple with these questions

and so will necessarily be immersed in the most fundamental issues of metaphysics itself. But since "*the question about being and the question about man who enquires form an original and constantly whole unity*" (original emphasis), metaphysics itself is really philosophical anthropology. And thus the question, "What is the philosophy of religion?" becomes the question, "What is metaphysics?" which in turn and unavoidably raises the coordinate question, "Who is man?" *Hearers of the Word* is Rahner's sketch of an answer to this question in terms of the possibility of man's being the subject, the "hearer" of a revelation of God.

Man does ask metaphysical questions. From this point of departure, Rahner develops three propositions of a philosophical anthropology oriented towards the possibility of human openness to revelation. *First*, man's metaphysical activity discloses that he is transcendent spirit, and as such poses no intrinsic obstacle to God's self-communication. *Second*, although man's grasp of being is only possible because all being is "luminous" in itself, being still also remains in some sense "hidden" to man (for otherwise he would not have to ask about it—i.e., to "do" metaphysics). Since the full light of being is thus both possible for, and yet hidden to, man, he must therefore freely decide to be a "listener" and to stand attentively before the free and personal God who may choose either to speak or to remain silent. This attitude requires *love*, and Rahner finds that there is indeed in man, "at the very foundation of his nature, a reaching out of finite love towards God." *Third*, the place where man must stand in this free attitude of loving attention, is human history. Rahner develops this last thesis through a brilliant discussion of the incarnate quality of human existence, and concludes that "turning toward history is not an attitude for man to adopt as he pleases, but is imposed upon man by his specifically human spirituality."

This understanding of the contribution which philosophy of religion can

make to an anthropology of man as one who is open to the possibility of revelation, and so to the possibility of theology, leads Rahner to his evaluation of the role of philosophy *vis-à-vis* theology. Philosophy, he argues, should view itself as "the ontology of a *potentia obedientialis* for revelation"—in such a way that it keeps its authentic independence and yet points beyond itself to Christianity.

"This view of philosophy," he says, obviously does not deny that within philosophy there are problems in plenty which do not in themselves point so directly beyond philosophy, and which are therefore not directly relevant to theology. If, however, philosophy did not wish to hear, intrinsically and explicitly, this reference to theology, it would forthwith become either a highly academic, existentially indifferent affair, [or it] would be genuinely anti-Christian, because it would undertake to find a reason for human existence independently of the living God." I believe that he is dead right on this point, and that it might well be a good starting place for some serious discussion about the philosophy we are doing in America today.

There are innumerable valuable *dicta* scattered through the work, and over and above the value these provide, as well as the solid central argument in support of a philosophy of religion open to revelation, there is another special reason for recommending *Hearers of the Word*: the book is a key to the central theme of all of Rahner's later theology.

Probably no single thinker has given as much to theology and to the Church in our time as Karl Rahner, and this



REVIEWERS

LINDA KUEHL, a previous contributor, is a free-lance writer.

JOHN C. CORRIGAN is a doctoral student in philosophy at Louvain.

THOMAS R. BROOKS, a former labor editor, has contributed articles to various journals.

"ALONG COMES a federal official who authorizes the exclusion of white students, from all-black arrangements at Antioch on the following grounds, all ye sophists take note. You see, says HEW, white people aren't being excluded because they're white—that indeed would be unconstitutional—but because they do not have the relevant background, namely blackness."

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enormous contribution flows especially from a single source: his steadfast refusal to separate God and man. In all of Rahner's later theological work, there is a freshness of vision that comes from his awareness that God deals with man as he is, incarnate, historical, concrete. And his writings are penetrated also with an anthropology that sees man as open to, waiting for, listening for, God. Christ is the actual and archetypical epitome of this openness to God, just as he is the fullness of God's involvement in the historical actuality of mankind. Rahner's theology stresses again and again that authentic theology must be "anthropocentric" in the sense that it must be sensitive to man; and he insists equally as much that genuine anthropology will inevitably discover God at the center of all human existence. *Hearers of the Word* lays the anthropological foundations for this theological insight, and it is indispensable for a full appreciation of Rahner's work.

Police Power: Police Abuses in New York City

PAUL CHEVIGNY

Pantheon Books, \$6.95

THOMAS R. BROOKS

Paul Chevigny has written an important book, which, unfortunately, is not likely to be widely read and, therefore, to have much immediate impact. For one thing, the book is about the *abuses* of police power, which are petty, demeaning, pervasive and lack the gutsy horror of exposés of police brutality or corruption. For another, it is about those wrongs that persist because they are only uncomfortable to the victim (often marginal people) and irritate the rest of us when drawn to our attention, as remarks about our bad manners are apt to do. Police brutality arouses the reformist in us; abuses, the "so what?"

As Chevigny notes in passing, the third degree and the thump of the billy-club as a regular exercise of curbstone justice are pretty much out in New York City, at least. What persists, however, are practices that deny due proc-

ess to individuals who get in the way of the police function as the police see it, which is not so much to enforce the law as to catch wrongdoers.

"The policeman on the beat," comments Chevigny, "sees his job to be one of maintaining tranquillity and perpetuating the established routine. Any person out of the ordinary is suspicious; if he is recognizably deviant, then he is potentially criminal—a state loosely defined as any challenge to the police authority. A challenge may come either from the deviant, simply by his failure to respond to an officer's order, or from the ordinary citizen who is openly defiant. In either case, the challenge will be met by anger and one or more weapons out of the arsenal of legal sanctions, from a summons up through summary corporal punishment. Criminal charges, beginning with disorderly conduct and ranging up to felonious assault, are commonly laid to cover the actions of the policeman and punish the offender. In the eyes of the guardians, arrest is practically tantamount to guilt, and the police will supply the allegations necessary for conviction. The courts are treated as a mere adjunct to their purpose. Distortion of the facts becomes the most widespread and significant of abuses. The police ethic justifies any action which is intended to maintain order or to convict any wrongdoer (i.e., anyone actually or potentially guilty of crime). . . ."

Oddly enough, Chevigny's book, which comes from a two-year study carried out under the New York Civil Liberties Union, is as he himself says "a sort of a backhanded tribute to the institutions of justice in New York City, including the Police Department." So many of the cases mentioned turned out "right." So many of the things that disturb Chevigny are not likely to disturb us—the harassment of derelicts and deviants, prostitutes and potheads, pimps and petty criminals, or Hippies and Yippies. They have it coming, do they not? We are all too likely to accept harassment (not of ourselves, but of others) as the price of keeping order. As for injustice, there is, after all, the NYCLU.

Now, this will not do. Chevigny puts forward some modest remedies, including an Ombudsman and changes in the appointment and promotion of police officers that would shake up what he terms "the monolithic adherence to the police ethic and the unofficial code of secrecy." We get, nonetheless, the police we deserve, and at present even Chevigny's modest reforms are not likely to be adopted. In part this is so because people know that even if adopted such reforms won't mean much, either in better police behavior or performance.

And, we kid ourselves if we don't recognize that most people are now interested in improving the latter rather than the former. Compare recent proposals made by the New York NAACP and City Comptroller Mario A. Procaccino. Both demand harsher laws and tougher law enforcement. Chevigny insists that society must require the police to "change their allegiance from a private code to a publicly recognized rule of law," or else we are doomed to repeat

THE DOWNSIDE REVIEW

July, 1969

Philosophy as a Second-Order Activity

Joseph Coombe-Tennant

The Attempts to Establish a Dominican Priory, Hereford, 1246-1342.

Nigel Yates

Barth and the Problem of Natural Theology

Andrew Louth

The Patronal Title of St. Gregory's at Douai

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Gerard Walter Hopkins

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the violent uprisings of the recent past.

I am not so sure. As the book amply demonstrates, police are fashioned by their role in society. You cannot, as Chevigny observes, legislate the morals of others without ultimately abusing the rights of citizens. If we want better policemen, we had best change their role. This means, not only a significant redistribution of our wealth, the rebuilding of our slums, and the enactment of social legislation that gets at the causes of crime and poverty, but a redefinition of crime itself. (Incidentally, action on the first makes the second more probable.) If drug-possession, gambling and prostitution were not "crimes," the policeman's lot would be immeasurably improved, and so perhaps his temper.

Short of this, I think we have got about as far as we can go with police reform. Police behavior, on the whole, is better than it was even a decade ago. The courts have been moving in the right direction, at least until recently, and of all the institutions in our society,

they have the greatest direct effect on police behavior. Yet, if crime worsens and violence multiplies, we are likely to backslide; police abuses could once again become police brutality. Chevigny's book attests that you can only make the police behave up to a point—after that, they begin to lie. They are forced to do so by the conditions we impose upon them. Chevigny makes us aware of that and so deserves a careful reading.

CORRESPONDENCE



(Continued from page 379)

In making this proposal, he joins the fuzzies who would put LSD into the water supply of a large city or who would call upon citizens to turn on all the faucets in town so that water pressure would be reduced. Such proposals are just plain nuts.

It is also hard to follow Bianchi when he alleges bishops erect or accept

"consultative" or "advisory" groups of priests and laymen in order to "minimize the threat of countervailing power." When they do not do so, Fr. Bianchi, are they trying to *maximize* countervailing power?

Pejorativeness towards laymen is also detectable in his brand of creative resistance. In choosing or isolating what are for him "more radical strategies of lay resistance," he uncovers his gut belief about what laymen really are: We are Christians with the money.

In saying "laymen will have to learn wise uses of their *best* (emphasis added) bargaining instruments, the collection envelope and the pledge card," he signals his lack of respect for the humanity of lay Christians. On the contrary, the greater impact of American Catholicism frequently has come from humble persons and groups with little money but gifted instead with a spirited capacity for persistent love and service to Church and world communities.

For these reasons creative persistence, through organized perseverance in dialogue and teamwork, seems preferable over against the overtones of traditional clericalism, the main thrust of tactical negativism, and the surely irresponsible methods which abound in this appeal for creative resistance. Efforts to pimp liberals with enticements of big results from "easy virtue" means cannot be embraced without leading to serious consequences. These include infectious diseases of the spirit and atrophy of moral consciousness.

I especially object to using Dr. King as a symbol of resistance. As his actual activities, especially in Chicago, showed it was possible to obtain interreligious teamwork between the executives of the prophetic and apostolic establishments. Ask any racist.

The question is, are the creative resisters mature and self-sacrificing enough for teamwork. PETER FOOTE

Reply

I want to thank Mr. Foote for sharpening the distinction between the persistence of moderate reformers and

Military-Industrial Complex

THE PENTAGON is spending not only more than the profits of all American business, but also more than federal, state and local governments combined spend for health, education, old age, retirement assistance, housing and agriculture—another point to keep in mind when piously pondering why large areas of the world arm in defense against the U.S. What makes a dismal picture the more depressing is the perverse effect Vietnam has had on the shading. Before the Johnson escalation, the U.S. was actually trimming down its military presence across the globe. . . .

In Geneva, representatives of 17 nations are presently grappling with the problem of disarmament. But if the statistics out of Washington tell us anything, it is that some kindred grappling must be done there—for purposes of disarming the Pentagon. The perfect opportunity presents itself with a new administration in the White House and a new budget before the Congress. It is an opportunity missed at the nation's—and the world's—peril.

—COMMONWEAL, April 25, 1969

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the resistance of radical reformers. As I read him, he advocates an either/or stance between "persisters" and resisters. I, on the contrary, see a both/and relationship in the work of church renewal.

It seems to me that "persisters" and resisters can complement one another in the task of church reform. The former do an indispensable work from within, as I indicated in my article when I praised priests' federations and lay associations. Also, the people of institutional persistence are in a better position to preserve continuity with tradition, and they serve to remind resisters on the church's periphery to avoid the temptation of styling themselves as self-righteous heroes.

Yet in the dialectic of reform, the resisters, too, have a significant function. My article stressed this side of the polarity, because I think it needs emphasizing. The resisters, who stand outside of official structures, can point to the serious power concentrations in the church, power blocs that are more social, political and economic than truly religious. Resisters, distancing themselves from the structures, can more clearly underline the moderate liberal temptation (a naive one) to ignore the larger power questions, while settling for pious and limited refurbishing of the church.

I did not intend to demean the laity by reducing them to their financial role alone, as Mr. Foote indicates. I was rather stressing *one* important lay function towards curbing irresponsible power in a still monarchical church. By controlling this near absolute power, the laity will be better able to exercise their many charisms in really effective ways for the good of the whole church.

On the question of priests withholding their sacramental functions, much more theological enlightenment is called for than I can possibly get into this paragraph. I carefully urged responsibility and proportion in such resistance actions. But the eucharist, for example, is not a quantity: the more the better in some mechanistic sense. Your faith and charity, Mr. Foote, will not ooze

away if you don't have Mass for six weeks. Really, your Christian existence is much deeper than that. Moreover, Holy Communion should spring from the whole community's human communion. When the latter is seriously violated, the eucharist can become a formalistic mockery.

Mr. Foote's rhetoric gets away from him at points in the letter. I can assure you, sir, that we resisters do not plan to poison eucharistic wafers, nor do we propose extermination camps for bishops, Monsignors and their golf partners.

I want to reassert that Martin Luther King, Jr. was a good example of creative resistance. He stood boldly though non-violently against laws, conventions and structures that oppressed his fellow men. He hoped in the best of the American spirit and tradition just as resisters hope in the finest elements of the Catholic Church.

EUGENE C. BIANCHI

Petulant Complaint

New York

To the Editors: Kind friends have drawn my attention to your petulant complaint in *News & Views* [May 23]. Of course I am delighted to think that I have deeply offended *Commonweal*, and I hope one day I can do a better job of it.

I should not dream of denying that the Reverend Edward B. Fiske is, as you proclaim, "the best daily newsman on the religion beat in the U.S." But what of that? And how faint can the praise be, by which you damn a man? The profession is not overcrowded; and, as I hinted in that article in *Triumph* in which I made my opinion more favorable than it really was, Fiske is the very picture of ineptitude. If in fact he reads rapidly there are two or three hundred books I could tell him about which might throw some light on the matters which he is content to write about every day from a position of hoggish ignorance. I do not think he is in any way talented as a journalist. He is simply the man on the *Times* and as such he enjoys quite

exceptional opportunities and has at his disposal relatively generous space in the paper's columns. He makes astonishingly poor use of his opportunities, and with a little more good will, a little more energy, and a little more curiosity he might not deserve, as he now deserves, to be a laughing-stock. He might in fact rise to the level anybody else would attain in his position. Of course the *Times* makes a great effort to cling to the remnants of the reputation it once had for fairness and accuracy and so it puts out what is, relatively, the widest and most complete range of information about religion, but that is not Fiske's doing. Nor does he deserve praise simply because other newspapers in this benighted country are for the most part worthless.

FARLEY CLINTON

New York

To the Editors: My congratulations to John Deedy for his defense of Ted Fiske against the absurdities of *Triumph* magazine [*News & Views*, May 23]. No one who follows Mr. Fiske's articles in the *New York Times* could possibly consider him anything but a conscientious, intelligent and fair-minded reporter. Mr. Deedy was quite right to expose the narrow-minded slander of the *Triumph* article.

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Toward Tomorrow



Catholic teachers, administrators, students and parents — while aiming at excellence in education today — are also looking toward tomorrow's challenges and rapidly changing needs.



The examples of leadership, enterprise and achievement cited here illustrate the real dimensions of Catholic education, being given focus and direction through the National Catholic Educational Association.



Among immediate and long range projects envisioned by this cooperative organization, which functions independently and without Church subsidies, are: further increases in service to adult education and to teachers; supplying a Christian response to educational technology, to the urban crisis, to ecumenism in education; and expanded research in every area in which it is needed.



How these goals of this key national coordinating body are beamed to produce ever increasing excellence in Catholic education of the present and the future is detailed in a new booklet, "For All Who Care About Education". For a free copy, write to Fr. C. Albert Koob, Executive Secretary, The National Catholic Educational Association, 1785 Massachusetts Avenue, N.W., Washington, D.C. 20036. See how Catholic education is looking toward tomorrow.



A Public Service Message



Roger Kelley, vice-president of the Caterpillar Tractor Co., chairman of the Peoria (Ill.) diocesan education board, directs his group's efforts at promoting quality Catholic education and fuller appreciation of its unique value for modern times.



Msgr. Charles O. Rice, pastor of Pittsburgh's Holy Rosary parish, fills his vacated inner-city school's empty desks by opening up the classrooms to all children of his neighborhood, offering them opportunities for Christian formation.



Sister Mary Peter of Venango Christian High School, Oil City, Pa., coaches her students through a lively discussion of critical issues in a contemporary literature class made up of students of different ages who select the courses in which they feel they can excel.